

IN THE CLAIMS:

Please amend the claims to read as follows (added matter is underlined and omitted matter is in brackets):

1. (original) A method of improving the loss ratio on a book of worker's compensation insurance for an underwriter, the book comprising insurance policies for a set of insured entities, wherein the set of insured entities having been bound within a first defined period of time, the method comprising the steps of:

a) using a computer data base with a user interface display comprising questions for numerically scoring an insured entity in accordance with a set of predefined ranking criteria based on underwriting criteria, and spaces on the display for inputting responses to at least one of the questions;

b) surveying at least a first portion of the set of insured entities, the survey eliciting responses to the questions posed in step "a";

c) on an individual basis for at least a second portion of the set of entities surveyed, inputting data from the responses received in step "b" into the computer data base at the spaces provided for in the display in step "a";

d) on an individual basis for at least a third portion of the set of entities surveyed, having the computer database calculate a numerical ranking score based on the set of predefined ranking criteria in step "a" and the data inputted during step "c"; and

e) reporting survey information on at least a fourth portion of the insureds whose ranking scores calculated in step "d" satisfies a first range.

2. (original) The method of claim 1, wherein the first defined period of time since binding is no more than thirty days.

3. (original) The method of claim 1, wherein the first defined period of time since binding is no more than ninety days.

4. (original) The method of claim 1, wherein the first, second, third, and fourth portions are each fifty percent.

Appl. No. 09/775,278
Amendment dated February 1, 2005
Submission of Preliminary Amendment

5. (original) The method of claim 1, wherein the first portion is between fifty and ninety-five percent.
6. (original) The method of claim 1, wherein the first portion is between ninety-five and 100 percent.
7. (original) The method of claim 1, wherein the set of insured entities is between 100 and 1000.
8. (original) The method of claim 1, wherein the set of insured entities is at least 1000.
9. (original) The method of claim 1, wherein an average annual premium calculated from the set of insured entities is between \$500 and \$1,000.
10. (original) The method of claim 1, wherein the an average annual premium calculated from the set of insured entities is between \$1,000 and \$10,000.
11. (original) The method of claim 1, wherein the an average annual premium calculated from the set of insured entities is between \$10,000 and \$25,000.
12. (original) The method of claim 1, wherein the an average annual premium calculated from the set of insured entities is between \$25,000 and \$50,000.
13. (original) The method of claim 1, wherein the reported numerical ranking scores are organized in ascending order.
14. (original) The method of claim 1, wherein the number of predefined ranking criteria is between 1 and 5.
15. (original) The method of claim 1, wherein the number of predefined ranking criteria is between 5 and 15.
16. (original) The method of claim 1, wherein the number of predefined ranking criteria is at least 16.
17. (original) The method of claim 1, wherein a numerical ranking value is added in step "d" to the score of each insured entity which is determined in the survey to be in business for less than a second defined period of period of time.
18. (original) The method of claim 17, wherein the second defined period of time is three

years.

19. (original) The method of claim 1, wherein at least one numerical ranking value is added in step "d" to the score of each insured entity providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing work over a set height;
- (ii) performing work under a set depth;
- (iii) performing work in confined spaces;
- (iv) performing work over navigable water; and
- (v) performing roofing installation or repair work.

20. (original) The method of claim 1, wherein at least one numerical ranking value is added in step "d" to the score of each insured entity providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing work in asbestos abatement;
- (ii) performing work in handling materials classified as hazardous waste under federal, state, or local laws or regulations; and
- (iii) performing work in the area of removing lead based paint.

21. (original) The method of claim 1, wherein at least one numerical ranking value is added in step "d" to the score of each insured entity providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing work in demolition;
- (ii) performing work in blasting; and
- (iii) performing work using snow plows.

22. (original) The method of claim 1, wherein at least one numerical ranking value is added in step "d" to the score of each insured entity providing an affirmative response to at least one of the

questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing out-of-state work for a number of days during the respective insured's policy period which is greater than a set maximum for out-of-state work; and
- (ii) using casual labor for a number of days during the respective insured's policy period which is greater than a set maximum for casual labor.

23. (original) The method of claim 1, wherein at least one numerical ranking value is added in step "d" to the score of each insured entity providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) having a payroll greater than a set amount for payroll during the respective insured's policy period when compared to a payroll information provided by the insurer for the respective insured;
- (ii) having a number of employees greater than a set amount for employees during the respective insured's policy period when compared to the employee information provided by the insurer for the respective insured;
- (iii) having a number of subcontractors greater than a set amount for subcontractors during the respective insured's policy period when compared to the subcontractor information provided by the insurer for the respective insured; and
- (iv) using equipment not consistent with a classification code provided by the insurer for such insured.

24. (original) The method of claim 1, wherein a numerical ranking value is added in step "d" to the score of each insured entity wherein a survey cannot be completed in a set number of attempts.

25. (original) The method of claim 1, further comprising the steps of obtaining electronically from the underwriter a set of names of insurance agents indexed to each insured entity to be surveyed

and reporting the respective agent's name along with the numerical ranking scores calculated reported in step "e".

26. (original) The method of claim 1, further comprising the step of obtaining electronically from the underwriter a set of policy information for the insured entities to be surveyed upon which binding of each policy was based, comprising each insured's name, insurance classification codes, number of employees, and payroll.

27. (original) The method of claim 1, wherein the survey is performed by an audit service provider who is not an employee of the underwriter.

28. (original) The method of claim 1, further comprising the step of providing information on loss prevention and loss management during the survey to the insured entity being surveyed.

29. (original) A computer-readable medium containing instructions for controlling a computer system to calculate a set of numerical ranking scores for a book of worker's compensation insurance for an underwriter, the book comprising insurance policies for a set of insured entities, wherein the set of insured entities having been bound within a first defined period of time, by:

(a) providing a computer data base with a user interface display comprising questions for numerically scoring an insured entity in accordance with a set of predefined ranking criteria based on a set of the underwriter's underwriting criteria, and spaces on the display for inputting responses to at least one of the questions;

(b) accepting input to one or more of answers to the questions in part "a";

(c) calculating a numerical ranking score for the insured entity based on the set of predefined ranking criteria in part "a" and the accepted input in part "b"; and

(d) creating a report comprising the numerical ranking scores calculated in part "c".

30. (original) A method of improving the loss ratio on a worker's compensation book comprising the steps of:

(a) providing a computer data base with a user interface display that includes questions for an insured, and spaces for input of the insured's answers;

(b) using a telephone to survey an insured, said survey eliciting answers to the

questions posed in step "a";

(c) inputting the answers received in step "b" into the computer data base at the spaces provided for in the display in step "a";

(d) comparing the answers collected in steps "b" and "c" with answers contained in information supplied by a third party;

(e) identifying inconsistent answers in step "d"; and

(f) reporting the information obtained in steps "d" and "e" to an underwriter which can determine whether or not an insurance premium of the insured should be adjusted.

31. (original) A method of improving the loss ratio on a general liability insurance book comprising the steps of:

(a) providing a computer data base with a user interface display that includes questions for an insured, and spaces for input of the insured's answers;

(b) using a telephone to survey an insured, said survey eliciting answers to the questions posed in step "a";

(c) inputting the answers received in step "b" into the computer data base at the spaces provided for in the display in step "a";

(d) comparing the answers collected in steps "b" and "c" with answers contained in information supplied by a third party;

(e) identifying inconsistent answers in step "d"; and

(f) reporting the information obtained in steps "d" and "e" to an underwriter which can determine whether or not an insurance premium of the insured should be adjusted.

32. (currently amended) A method of improving the loss ratio on a book of worker's compensation insurance for an underwriter, the book comprising insurance policies for a set of insured entities, wherein the set of insured entities having been bound within a first defined period of time, the method comprising the steps of:

a) using a computer data base with a user interface display comprising questions for identifying insured entities that satisfy a set of predefined ranking criteria based on

underwriting criteria, and spaces on the display for inputting responses to at least one of the questions;

b) surveying at least a first portion of the set of insured entities, the survey eliciting responses to the questions posed in step "a";

c) on an individual basis for at least a second portion of the set of entities surveyed, inputting data from the responses received in step "b" into the computer data base at the spaces provided for in the display in step "a";

d) based on the ~~date~~ data inputted during step "c" on an individual basis for at least a third portion of the set of entities surveyed, having the computer database flag each insured entity satisfying at least one of the predefined ranking criteria in step "a"; and

e) reporting survey information on at least a fourth portion of the insureds who were flagged in step "d".

33. (original) A method of improving the loss ratio on a book of general liability insurance for an underwriter, the book comprising insurance policies for a set of insured entities, wherein the set of insured entities having been bound within a first defined period of time, the method comprising the steps of:

a) using a computer data base with a user interface display comprising questions for numerically scoring an insured entity in accordance with a set of predefined ranking criteria based on a set of the underwriter's underwriting criteria, and spaces on the display for inputting responses to at least one of the questions;

b) using a telephone system to survey at least a first portion of the set of insured entities, the survey eliciting responses to the questions posed in step "a";

c) on an individual basis for at least a second portion of the set of entities surveyed, inputting data from the responses received in step "b" into the computer data base at the spaces provided for in the display in step "a";

d) on an individual basis for at least a third portion of the set of entities surveyed, having the computer database calculate a numerical ranking score based on the set of predefined

ranking criteria in step “a” and the data inputted during step “c”; and

e) reporting survey information on at least a fourth portion of the insureds whose ranking scores calculated in step “d” satisfies a first range.

34. (original) The method of claim 33, wherein the first defined period of time since binding is no more than thirty days.

35. (original) The method of claim 33, wherein the first defined period of time since binding is no more than ninety days.

36. (original) The method of claim 33, wherein the first, second, third, and fourth portions are each fifty percent.

37. (original) The method of claim 33, wherein the first portion is between fifty and ninety-five percent.

38. (original) The method of claim 33, wherein the first portion is between ninety-five and 100 percent.

39. (original) The method of claim 33, wherein the set of insured entities is between 100 and 1000.

40. (original) The method of claim 33, wherein the set of insured entities is at least 1000.

41. (original) The method of claim 33, wherein an average annual premium calculated from the set of insured entities is between \$500 and \$1,000.

42. (original) The method of claim 33, wherein the an average annual premium calculated from the set of insured entities is between \$1,000 and \$10,000.

43. (original) The method of claim 33, wherein the an average annual premium calculated from the set of insured entities is between \$10,000 and \$25,000.

44. (original) The method of claim 33, wherein the an average annual premium calculated from the set of insured entities is between \$25,000 and \$50,000.

45. (original) The method of claim 33, wherein the reported numerical ranking scores are organized in ascending order.

46. (original) The method of claim 33, wherein the number of predefined ranking criteria is

between 1 and 5.

47. (original) The method of claim 33, wherein the number of predefined ranking criteria is between 5 and 15.

48. (original) The method of claim 33, wherein the number of predefined ranking criteria is at least 16.

49. (original) The method of claim 33, wherein a penalty is deducted in step "d" from the score of each insured entity which is determined in the survey to be in business for less than a second defined period of period of time.

50. (original) The method of claim 49, wherein the second defined period of time is three years.

51. (original) The method of claim 33, wherein at least one numerical ranking value is added in step "d" to the score of each insured providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing work over a set height;
- (ii) performing work under a set depth;
- (iii) performing work in confined spaces;
- (iv) performing work over navigable water;
- (v) performing roofing installation or repair work;
- (vi) installing, maintaining, repairing, or monitoring alarm systems;
- (vii) preparing design, architectural, or construction plans or drawings.

52. (original) The method of claim 33, wherein at least one numerical ranking value is added in step "d" to the score of each insured providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing work in asbestos abatement;
- (ii) performing work in handling materials classified as hazardous waste under

federal, state, or local laws or regulations; and

- (iii) performing work in the area of removing lead based paint.

53. (original) The method of claim 33, wherein at least one numerical ranking value is added in step “d” to the score of each insured providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing work in demolition;
- (ii) performing work in blasting;
- (iii) performing pile driving; and
- (vi) performing work with construction equipment owned by insured.

54. (original) The method of claim 33, wherein at least one numerical ranking value is added in step “d” to the score of each insured providing an affirmative response to at least one of the questions for numerically scoring the insured entity relating to ranking criteria selected from the group consisting of:

- (i) performing out-of-state work for a number of days during the respective insured’s policy period which is greater than a set maximum for out-of-state work;
- (ii) using casual labor for a number of days during the respective insured’s policy period which is greater than a set maximum for casual labor; and
- (iii) using subcontractors for over a set percentage of the overall work.

55. (original) The method of claim 33, wherein a numerical ranking value is added in step “d” to the score of each insured wherein a survey cannot be completed in a set number of attempts.

56. (original) The method of claim 33, further comprising the steps of obtaining electronically from the underwriter a set of names of insurance agents indexed to each insured entity to be surveyed and reporting the respective agent’s name along with the numerical ranking scores calculated reported in step “e”.

57. (original) The method of claim 33, further comprising the step of obtaining electronically

from the underwriter a set of policy information for the insured entities to be surveyed upon which binding of each policy was based, comprising each insured's name, insurance classification codes, number of employees, and payroll.

58. (original) The method of claim 33, wherein the survey is performed by an audit service provider who is not an employee of the underwriter.

59. (original) The method of claim 33, further comprising the step of providing information on loss prevention and loss management during the survey to the insured entity being surveyed.

60. (new) A method of improving the loss ratio on a book of worker's compensation insurance for an underwriter, the book comprising insurance policies for a set of insured entities, the method comprising the steps of:

- a) using a computer having a user interface display for inputting data from responses to a set of survey questions, the display including a plurality of spaces for survey data input;

- b) surveying at least a first portion of the set of insured entities, the survey eliciting responses to the set survey questions in step "a";

- c) on an individual basis, for at least a second portion of the set of entities surveyed, inputting data from the responses received in step "b" into the computer at the spaces provided for in the display in step "a";

- d) based on the data inputted during step "c" on an individual basis, for at least a third portion of the set of entities surveyed, having the computer flag each insured entity that does not meet a set predefined underwriting criteria; and

- e) reporting survey information on at least a fourth portion of the insureds who were flagged in step "d".

61. (new) The method of claim 60, further comprising the step of obtaining electronically from the underwriter a set of policy information for the insured entities to be surveyed upon which binding of each policy was based, comprising each insured's name, insurance classification codes, number of employees, and payroll.

62. (new) The method of claim 60, wherein at least one space including a plurality of radio buttons for inputting data from survey responses to at least one of the survey questions.

63. (new) The method of claim 60, wherein the display includes a plurality of input screens for inputting data from survey responses.

64. (new) The method of claim 60, wherein step "b" is performed using a telephone.

65. (new) The method of claim 60, wherein the display includes an input for placing a subjective opinion of a surveyor regarding each individual insured entity being surveyed.

66. (new) The method of claim 65, wherein the insured entity is flagged based on the inputted subjective opinion of the surveyor.

67. (new) The method of claim 60, further comprising the steps of obtaining electronically from the underwriter a set of names of insurance agents indexed to each insured entity surveyed and reporting the respective agent's name along with the insureds flagged in step "d".

68. (new) The method of claim 60, wherein at least one predefined underwriting criteria is selected from the group consisting of:

- (i) performing work over a set height;
- (ii) performing work under a set depth;
- (iii) performing work in confined spaces;
- (iv) performing work over navigable water; and
- (v) performing roofing installation or repair work.

69. (new) The method of claim 60, wherein at least one predefined underwriting criteria is selected from the group consisting of:

- (i) performing work in asbestos abatement;
- (ii) performing work in handling materials classified as hazardous waste under federal, state, or local laws or regulations; and
- (iii) performing work in the area of removing lead based paint.

70. (new) The method of claim 60, wherein at least one predefined underwriting criteria is selected from the group consisting of:

Appl. No. 09/775,278
Amendment dated February 1, 2005
Submission of Preliminary Amendment

- (i) performing work in demolition;
- (ii) performing work in blasting; and
- (iii) performing work using snow plows.

71. (new) The method of claim 60, wherein at least one predefined underwriting criteria is selected from the group consisting of:

- (i) performing out-of-state work for a number of days during the respective insured's policy period which is greater than a set maximum for out-of-state work; and
- (ii) using casual labor for a number of days during the respective insured's policy period which is greater than a set maximum for casual labor.

72. (new) The method of claim 60, wherein at least one predefined underwriting criteria is selected from the group consisting of:

- (i) having a payroll greater than a set amount for payroll during the respective insured's policy period when compared to a payroll information for the respective insured;
- (ii) having a number of employees greater than a set amount for employees during the respective insured's policy period when compared to the employee information provided for the respective insured;
- (iii) having a number of subcontractors greater than a set amount for subcontractors during the respective insured's policy period when compared to the subcontractor information provided for the respective insured; and
- (iv) using equipment not consistent with a classification code provided for such insured.

73. (new) The method of claim 60, wherein an insured entity is flagged in step "d" when a survey of the insured entity cannot be completed in a set number of attempts.